

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Patriarch Partners Agency Services, LLC,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 9/26/2023

Plaintiff,

-against-

Zohar CDO 2003-1, LTD. et al.,

ORDER

**16-CV-04488 (VM) (KHP)**

Defendants.

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**KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE**

On September 25, 2023, the Court endorsed a stipulation and proposed third revised civil case management plan and scheduling order submitted by the parties. (ECF No. 289.) That Order provides that a Pre-Motion Conference concerning Summary Judgment will be held during the week of January 8, 2024. However, any pre-motion conference regarding a dispositive motion will properly be before the Honorable Victor Marrero, and this Court cannot guaranty that he will have availability for a conference during that week. Accordingly, that provision of the Order at ECF No. 289 should be disregarded. Instead, the parties' pre-motion letters regarding Summary Judgment shall be addressed to Judge Marrero, and those letters shall request a pre-motion conference. If Judge Marrero chooses to schedule a conference, he will do so at his convenience, regardless of any agreement between the parties. Judge Marrero also may revise the parties' agreed-upon schedule for Summary Judgment briefing.

The parties are reminded that they may consent to the Undersigned's jurisdiction to decide the Motion for Summary Judgment by filing the appropriate consent form, available on

the Court's website.<sup>1</sup> In the event that the parties consent to my jurisdiction, I can hold a pre-motion conference during the week of January 8. This Order is not meant to interfere in any way with the parties' absolute right to have dispositive motions and/or a trial before a United States District Judge, but is merely an attempt at preserving scarce judicial resources and reminding the parties of their option pursuant to 28 U.S.C. § 636(c).

**SO ORDERED.**

Dated: September 26, 2023  
New York, New York

*Katharine H. Parker*

KATHARINE H. PARKER  
United States Magistrate Judge

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<sup>1</sup> See <https://www.nysd.uscourts.gov/forms/consent-proceed-us-magistrate-judge-specific-motion> to consent just for purposes of a Motion for Summary Judgment, and <http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge> to consent to my jurisdiction over the case in its entirety.